

Please type a plus sign (+) inside this box ☐

PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032
U S Patent and Trademark Office, U S DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 010635
First Inventor Barker, et al.
Title GRACEFUL DEGRADATION SYSTEM
Express Mail Label No. EL746360463US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification [Total Pages 22]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 36]
5. Oath or Declaration [Total Pages 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. _____


Prior application information Examiner _____ Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label  or ☐ Correspondence address below

Name Dennis M. Carleton
BUCHANAN INGERSOLL
Address One Oxford Centre, 20th Floor
City Pittsburgh State PA Zip Code 15219
Country USA Telephone 412/562-1895 Fax 412/765-0163

Name (Print/Type) Dennis M. Carleton Registration No. (Attorney/Agent) 40,938
Signature  Date May 11, 2001

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision

Complete if Known

Application Number	
Filing Date	May 11, 2001
First Named Inventor	Barker, et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	010635

TOTAL AMOUNT OF PAYMENT (\$ 616.00)

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 02-4553

Deposit Account Name BUCHANAN INGERSOLL

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid	
101	710	201	355	Utility filing fee	355.
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
49	-20** = 29	9	261
3	-3** = 0	0	0
Multiple Dependent			

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 261.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Dennis M. Carleton	Registration No. (Attorney/Agent)	40,938	Complete (if applicable)	Telephone	412/562-1895
Signature				Date	May 11, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

05/11/01



05-14-01

A

EXPRESS MAIL MAILING LABEL

Number: EL746360463US
Date of Deposit: May 11, 2001

I hereby certify that this paper or fee is being
Deposited with the United States Postal Service
Under 37 C.F.R. 1.10 on the date indicated above
And is addressed to the Commissioner of Patents
And Trademarks, Arlington, Virginia 22202

BUCHANAN INGERSOLL PC
One Oxford Center, 20th Floor
Pittsburgh, PA 15222

Tammy Styer

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barker, et al.)
Serial No.: Not Yet Assigned)
Filed: 11 April 2001)
Entitled: GRACEFUL DEGRADATION SYSTEM

TRANSMITTAL FOR PATENT APPLICATION

To: Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Dear Sir:

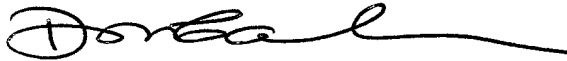
Enclosed for filing is the above-referenced patent application. Transmitted herewith for filing are:

1. Utility Patent Application Transmittal (Form PTO/SB/05);
2. Fee Transmittal (Form PTO/SB/17);
3. Twenty-two (22) pages of specifications including forty-nine (49) claims;
4. Thirty-six sheets of figures including thirty-six (36) informal drawings; and
5. A Declaration.

Also enclosed is a return postcard. Please date stamp the postcard and return it to us to acknowledge receipt of this application.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 02-4553. A duplicate copy of this Transmittal letter is enclosed.

Respectfully submitted,



Dennis M. Carleton
Reg. No. 40,938

BUCHANAN INGERSOLL
One Oxford Centre, 20th Floor
301 Grant Street
Pittsburgh, PA 15219
(412) 562-1895

Dated: 11 May 2001

Attorneys for Applicants

1042342-1;PGH1

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER
37 CFR 1.10 - SEPARATE PAPER

ATTORNEY'S DOCKET NO.

010635

IN RE APPLICATION OF

Robert Barker, et al.

SERIAL NUMBER

FILED

May 11, 2001

FOR

GRACEFUL DEGRADATION SYSTEM

GRP. ART UNIT

EXAMINER

"Express Mail" mailing label number EL746360463

Date of deposit May 11, 2001

I hereby certify that this paper or fee is being deposited
with the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date indicated above
and is addressed to the Commissioner of Patents and Trademarks,
Washington, D.C. 20231.

Tammy L. Styen

(Typed or printed name of person mailing paper or fee)

Tammy L Styen

(Signature of person mailing paper or fee)

JC971 U.S. PTO
09/853371

